(26)

04-5928

FILED
JAN 24 2005
OFFICE OF THE CLERK

IN THE

Supreme Court of the United States

JOSÉ ERNESTO MEDELLÍN,

Petitioner,

—v.—

DOUG DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

JOINT APPENDIX

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PETITION FOR CERTIORARI FILED AUGUST 18, 2004
CERTIORARI GRANTED DECEMBER 10, 2004

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS (HOUSTON)

CIVIL DOCKET FOR CASE #: 4:01-cv-04078

MEDELLIN,

Petitioner

—v.—

COCKRELL,

Respondent

Petition for Writ of Habeas Corpus
(Death Penalty)
Cause: 28:2254

05/26/2004		Record on appeal, 2 Vols - Record, 1 Vol- Suppl Record & 9 Exp Folders—State Court Records, returned from U.S. Court of Appeals, reassembled and forwarded to file-room. CCA No. 03-20687. (bdaniel) (Entered: 05/26/2004)
05/24/2004	32	ORDER OF USCA (certified copy) 5/20/04 [31-1] appeal, Petitioner's application for certificate of appeal-ability is DENIED, [28-1] appeal,

		filed CCA No. 03-20687 (mharrison) (Entered: 05/25/2004)
08/28/2003		Transmitted supplemental record on appeal consisting of 1 Vol - Record (Instr. #31) to USCA: [31-1] appeal (bdaniel) (Entered: 08/28/2003)
08/13/2003		Notice of appeal and Copy of docket transmitted to USCA: [31-1] appeal (bdaniel) (Entered: 08/13/2003)
08/08/2003	31	AMENDED NOTICE OF APPEAL of [30-1] order by Jose Ernesto Medellin, filed. Fee Status: CJA (bdaniel) (Entered: 08/13/2003)
08/07/2003		Certified and transmitted record on appeal consisting of 2 Vols - Record, & 9 Exp Folders - State Court Records to U.S. Court of Appeals: [28-1] appeal. Circuit No. 03-20687 Parties ntfd. (bdaniel) (Entered: 08/07/2003)
07/28/2003	30	ORDER denying petitioner's [29-1] motion to alter judgment denying [29-2] motion to amend judgment, entered; Parties (signed by Judge John D. Rainey) (lmunoz) (Entered: 07/29/2003)
07/22/2003		NOTICE of Docketing NOA from USCA Re: [28-1] appeal USCA NUMBER: 03-20687 (mmapps) (Entered: 07/22/2003)

07/14/2003		Notice of appeal and Copy of docket transmitted to USCA: [28-1] appeal (bdaniel) (Entered: 07/14/2003)
07/11/2003	29	MOTION to alter judgment, or to amend judgment by Jose Ernesto Medellin, Motion Docket Date 7/31/03 [29-1] motion, 7/31/03 [29-2] motion, filed. (amaly) (Entered: 07/14/2003)
07/11/2003	28	NOTICE OF APPEAL of [27-1] order, [26-1] order by Jose Ernesto Medellin, filed. Fee Status: CJA (bdaniel) (Entered: 07/14/2003)
06/25/2003		Case closed (lmunoz) (Entered: 06/26/2003)
06/25/2003	27	FINAL JUDGMENT entered. This case is dismissed with prejudice; COA is DENIED, entered. Parties ntfd. (signed by Judge John D. Rainey) (lmunoz) Modified on 07/10/2003 (Entered: 06/26/2003)
06/25/2003	26	ORDER granting respondent's [16-1] motion for summary judgment; Medellin's petition is DENIED; a Certificate of Appealability is DENIED, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) Modified on 06/26/2003 (Entered: 06/26/2003)
04/30/2003	25	ORDER granting petitioner's [23-1] motion to extend time to file response to Respondent's answer

		and motion for summary judgment; it is hereby ORDERED that petitioner's responsive pleading filed simultaneously with this motion is timely filed, entered; Parties notified. (signed by Judge D. Rainey) (lmunoz) (Entered: 05/01/2003)
04/17/2003	24	RESPONSE by Jose Ernesto Medellin to Respondent's Answer and [16-1] motion for summary judgment, filed. (psmith) (Entered: 04/17/2003)
04/17/2003	23	UNOPPOSED MOTION to extend time to file response to Respondent's answer and motion for summary judgment, by Jose Ernesto Medellin, Motion Docket Date 5/7/03 [23-1] motion, filed. (psmith) (Entered: 04/17/2003)
04/07/2003	22	ORDER granting petitioner's [21-1] motion for extension of time to file response to respondent's answer Response to motion reset 4/15/03 for [16-1] motion for summary judgment, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 04/08/2003)
04/01/2003	21	UNOPPOSED MOTION for extension of time to file response to respondent's answer by Jose Ernesto Medellin, Motion Docket Date 4/21/03 [21-1] motion, filed. (kprice) (Entered: 04/02/2003)

02/21/2003	20	ORDER granting petitioner's [19-1] motion to extend time to respond to summary judgment Response to motion reset to 4/1/03 for [16-1] motion for summary judgment, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 02/21/2003)
02/18/2003	19	MOTION to extend time to respond to summary judgment, by Jose Ernesto Medellin, Motion Docket Date 3/10/03 [19-1] motion, filed. (psmith) (Entered: 02/19/2003)
12/20/2002	18	ORDER granting the [17-1] motion for extension of time to file response. The answer date is set for 2/15/03 for Janie Cockrell, entered; Parties notified. (signed by Judge John D. Rainey) (psmith) (Entered: 12/20/2002)
12/03/2002	17	UNOPPOSED MOTION for extension of time to file response by Jose Ernesto Medellin, Motion Docket Date 12/23/02 [17-1] motion, filed. (kprice) (Entered: 12/03/2002)
11/15/2002	16	MOTION with brief in support for summary judgment by Janie Cockrell, Motion Docket Date 12/5/02 [16-1] motion filed (part 2 of 2) (hlerma) (Entered: 11/15/2002)
11/15/2002	16	ANSWER to Complaint by Janie Cockrell, filed. Part 1 of 2 (hlerma) (Entered: 11/15/2002)

11/04/2002	15	ORDER granting [14-1] motion to extend time to file responsive pleading to Medellin's Petition for Writ of Habeas Corpus reset answer due for 11/15/02, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 11/04/2002)
09/25/2002	14	FIRST UNOPPOSED MOTION to extend time to file responsive pleading to Medellin's Petition for Writ of Habeas Corpus by Janie Cockrell, Motion Docket Date 10/15/02 [14-1] motion, filed. (hlerma) (Entered: 09/25/2002)
08/02/2002	13	ORDER that Petitioner file an answer or other responsive pleading w/in 60 days after entry of this Order; if at any time respondent files a motion for summary judgment or a motion to dismiss, Medellin is ORDERED to file a response to that motion w/in 60 days, entered; Parties notified. (signed by Judge John D. Rainey) (fmremp) (Entered: 08/05/2002)
07/18/2002	12	AMENDED PETITION for writ of habeas corpus by Jose Ernesto Medellin, amending [5-1] petition, filed. (ljackson) (Entered: 07/19/2002)
07/11/2002		STATE COURT RECORDS, received and forwarded to file room. (8 & 1 Vo. of state writ records folders) (hlerma) (Entered: 07/11/2002)

06/04/2002	11	ORDER granting respondent's [10-1] motion for Tina J Dettmer to appear pro hac vice, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 06/05/2002)
04/18/2002	10	MOTION for Tina J Dettmer to appear pro hac vice by Janie Cockrell, Motion Docket Date 5/8/02 [10-1] motion, filed. (ltien) (Entered: 04/30/2002)
03/22/2002	9	ORDER petitioner's preliminary petition remains on file; preliminary petition filed pursuant to the Court's previous order shall not be adjudicated; and, a supplemental petition will be deemed to be timely filed; granting unopposed [8-1] motion for extension of time to file supplemental and/or amended petition set amended petition due for 7/20/02, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 03/25/2002)
03/15/2002	8	UNOPPOSED MOTION for extension of time to file supplemental and/or amended petition by Jose Ernesto Medellin, Motion Docket Date 4/4/02 [8-1] motion, filed. (hlerma) (Entered: 03/18/2002)
01/08/2002	7	ORDER granting [6-1] agreed motion for leave to file preliminary petition for post-conviction writ of Habeas Corpus, subject to a subse-

		quent amendment and/or supplementation with leave to file a supplemental and /or amended petition on or before 4/20/02 a preliminary petition filed pursuant to this Order shall not be adjudicated by this Court until a final original petition is filed; a supplemental and/or amended petition filed in accordance with this Order will be deemed to be timely filed, and to be an original, and not a "successive," petition, entered; Parties notified. (signed by Judge John D. Rainey) (lmunoz) (Entered: 01/08/2002)
11/28/2001	6	AGREED MOTION for leave to file preliminary petition for post-conviction writ of Habeas Corpus, subject to a subsequent amendment and/or supplementation by Jose Ernesto Medellin, filed. (bchurchill) (Entered: 11/28/2001)
11/28/2001	5	Preliminary and Incomplete Prisoner Petition for Writ of Habeas Corpus; filed. (bchurchill) (Entered: 11/28/2001)
11/15/2001	4	CJA 30 as to Petitioner Jose Ernesto Medellin: Appointment of Michael B Charlton as Attorney (Signed by Judge John D. Rainey), entered. (fmremp) (Entered: 11/26/2001)
11/15/2001	3	CJA 30 as to Petitioner Jose Ernesto Medellin: Appointment of Gary

		Taylor as Attorney (Signed by Judge John D. Rainey), entered. (fmremp) Modified on 11/26/2001 (Entered: 11/26/2001)
11/15/2001	2	ORDER granting [1-1] motion for appointment of counsel (Michael B. Charlton for Gary Taylor), entered; Parties notified. (signed by Judge John D. Rainey) (sguevara) (Entered: 11/19/2001)
10/09/2001	1	MOTION for appointment of counsel by Jose Ernesto Medellin, Motion Docket Date 10/29/01 [1-1] motion, filed. (bchurchill) (Entered: 10/31/2001)

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

JOSE ERNESTO MEDELLIN,

Petitioner-Appellant

—v.—

DOUG DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee

Docket #: 03-20851

GENERAL DOCKET

8/29/03	Death penalty case docketed. NOA filed by Appellant Jose Ernesto Medellin in 03-20851. [03-20851] (jbr) [03-20851]
8/29/03	Additional Appeal docketed. [03-20687, 03-20851] (jbr) [03-20687 03-20851]
9/2/03	Confirmation letter filed by Appellant Jose Ernesto Medellin in 03-20687 confirming an extension of time to and including

	10/22/03 for filing motion for COA w/brief. [03-20687] Motion due ddl updated to 10/22/03 for Jose Ernesto Medellin. Brief in Support ddl updated to 10/22/03 for Jose Ernesto Medellin. (mrw) [03-20687]
9/4/03	Supplemental record on appeal filed. Supplement #: 1 Vol(s) of Pleadings: 1 [03-20687, 03-20851] (mrw) [03-20687 03-20851]
10/24/03	Motion filed by Appellant Jose Ernesto Medellin in 03-20687, Appellant Jose Ernesto Medellin in 03-20851 for certificate of appealability [4648412-1] Motion due ddl satisfied. Date of COS: 10/22/03 Sufficient [Y/N]: Y [03-20687, 03-20851] (mrw) [03-20687 03-20851]
10/24/03	Brief filed in support of motion for Certificate of Appealability [4648412-1] by Appellant Jose Ernesto Medellin Brief in Support ddl satisfied. in 03-20687, Brief in support of motion for Certificate of Appealability [4648412-1] by Appellant Jose Ernesto Medellin in 03-20851 [4648414-1] [03-20687, 03-20851] (mrw) [03-20687 03-20851]
10/29/03	Criminal Justice Act 30 received from Michael B Charlton for Appellant Jose Ernesto Medellin in 03-20687 Timely: y/interim payment #1. [03-20687] (cgp) [03-20687]
11/6/03	Criminal Justice Act 30 received from Gary Allen Taylor for Appellant Jose

Ernesto Medellin in 03-20687 Timely: y/interim payment #1. [03-20687] (cgp) [03-20687]

11/26/03 Response/opposition filed by Appellee Doug Dretke in 03-20687, in 03-20851 to motion for Certificate of Appealability [4648412-1] by Appellant Jose Ernesto Medellin in 03-20687, motion for Certificate of Appealability [4648412-1] by Appellant Jose Ernesto Medellin. Response/Opposition ddl satisfied. Date of COS 11/24/03. [4679278-1] [03-20687, 03-20851] (jbr) [03-20687 03-20851]

5/20/04 Opinion order filed denying appellant's motion for Certificate of Appealability [4648412-1] in 03-20851, 03-20851 Issd in T form? y Judge Initials: EHJ FPB EBC (ISSUED AS AND FOR THE MANDATE) [03-20687, 03-20851] (jma) [03-20687 03-20851]

5/20/04 Mandate issued. Approved BOC Issued (Y/N)?: n [03-20687, 03-20851] (jma) [03-20687 03-20851]

5/24/04 Record on appeal returned to 5CCA. Volumes: 2 Supplemental Volumes: 1 Exhibits: 2 Boxes SCP [03-20687, 03-20851] Case Management ddl satisfied. (mrw) [03-20687 03-20851]

5/24/04 Record on appeal returned to USDC. Volumes: 2 Supplemental Volumes: 1 Exhibits: 2 Boxes SCP. [03-20687, 03-20851] (mrw) [03-20687 03-20851]

8/24/04 Supreme Court notice that petition for certiorari was filed on 08/18/04 by Appellant Jose Ernesto Medellin in 03-20687, Appellant Jose Ernesto Medellin in 03-20851. Supct No.: 04-5928 [03-20687, 03-20851] (cav) [03-20687 03-20851]

STATEMENT OF PERSON IN CUSTODY

Tuesday, June 29, 1993 Time: 554 Hrs.

Statement of **Jose Ernesto Medellin** taken in Harris County, Texas.

Prior to making this statement I was warned by Sgt. L.W. Hoffmaster of the Houston Police Homicide Division, the person to whom this statement was made, that:

1.) JEM I have the right to remain silent and not make any statement at all and any statement I make may and probably will be used against me at my trial;
Response: **yes sir**.

2.) JEM Any statement I make may be used as evidence against me in court; Response: **yes**.

3.) JEM I have the right to have a lawyer present to advise me prior to and during any questioning;
Response: **yes sir**.

4.) JEM If I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and;
Response: **yes sir**.

5.) JEM I have the right to terminate, or stop, this interview at any time.
Response: **yes sir**.

6.) JEM Prior to and during the making of this statement I knowingly, intelligently and voluntarily waived, or gave up, the rights set out above and made the following voluntary statement:
Response: **yes sir**. JEM

My name is Jose Ernesto Medellin. I am 18 years old years old. I was born in Laredo Mexico on 3/4/75. I last went to school at Eisenhower High School and have a total of 8 years of formal education.

On thursday June 24th,1993, around 8:30 or 9:00PM in the evening, I went to the Brook Green apartments with Raual (doesn't know last name), Peter Cantu, my little brother Venancio Medellin Jr., Efrain Perez, Frank Sandaval and his brother Roman Sandaval. Another friend Sean Derrick Obrien, lives in the Brook Green Apartments. I went to Sean's Apartment and told him that we were going to initiate Raual into our gang. Sean and I went to the parkinglot to go meet the others. Then we went to the railroad tracks behind the Brook Green Apartments and crossed over to the grass area on the banks of the bayou. Peter told Sean to take him, meaning to fight Raual, Raual's initiation was going to be to fight all of us. Sean said no I can't see, it's too dark. Sean has vision problems.

JOSE E. MEDELLIN
Signature

Witnesses:

SGT. G. J. NOVAK	6-29-93	7:23 AM
M. E. DOYLE	6-29-93	7:23 AM

Page 2 of Custodial Statement of Jose Ernesto Medellin.

Me and Peter were talking to Sean about it. We called Roman Sandoval to where we were and told Roman to take him. Roman said no man he's a little bit to big for me. Then we told Roman that if we were to get into a

fight out on the street he wouldn't be able to say that. Roman said fuck it, I'll take him. Roman went up to Raual and started fighting with him. They stopped fighting and Sean said fuck it, I'll whip his ass to. Then Sean started fighting with Raual. They stopped fighting and Peter said I'll take him. I told Peter no you are the leader I'll take him. I fought Raual and then we stopped. Then Peter said you take him Junior, meaning Efrain Perez and they started fighting. When they stopped Peter told Raual that if he could stand up for more than ten seconds, he was in. Then we went back to the tracks in the middle of the railroad bridge and we were drinking up there. We were talking and drinking and we said fuck it lets find something else for him to do.

We were walking back to the parking lot and as we were walking down the tracks a girl passed by us. When Peter saw the second girl, he said kick his ass Junior to Efrain Perez. Peter thought the hispanic girl was a boy. We started talking to the two girls, they told us their names were Jenifer and Elizabeth and that they had to go home.

Peter grabbed Jenifer and said bitch your going to come over here. Peter told Raual to grab the other one. The were saying let us go please and Peter said bitch were going to fuck your ass. Elizabeth said don't hurt me I'll let you do it. I was with Peter and Elizabeth and Sean, Raual and Efrain were with Jenifer. Peter was having sex with Elizabeth, then Peter ask her for her phone number and she gave him a number, 686-3267. Then Peter ask her why don't you suck my friends dick, meaning me, and she said yes. Then she did it. Elizabeth told me to hurray up that she had to go home. She ask Peter you're going to let us go right and he said yes.

While this was going on Raual, Sean and Efrain were taking turns having sex with Jenifer.

Then Peter called Raual and me over to where he was. Peter told my little brother to get all their stuff, beepers, watch, rings and necklaces. Then we took them to the woods and Efrain began having sex with Elizabeth in the woods and Sean with Jenifer. Then Peter told Raual to kill Jenifer, Sean handed Raual a belt and said do it with this. Raual strangled Jenifer with the belt. The belt tore and Jenifer fell to the ground and Peter told Raual to use his foot, to put his foot on her throat and step on it. Then Raual did that. Peter told Efrain to do the same thing to Elizabeth but to use his shoe lace. Efrain couldn't get a good grip so he told me to hold one end of the shoe lace. Then Efrain got a better grip on the shoe lace and took it

JOSE E. MEDELLIN
Signature

Witnesses:

SGT. G. J. NOVAK	6-29-93	7:23 AM
M. E. DOYLE	6-29-93	7:23 AM

back and continued to choke Elizabeth. Efrain let go and she was still moving and Peter told him to step on her throat and Efrain did that.

As all of this was going on, my little brother walked by and Peter told me to tell him to leave, so that he wouldn't see it but they had already started killing the girls.

As we were leaving Raual said I don't think this bitch is dead, he was talking about Jenifer. Raual started stomp-

ing on Jenifer's face with his foot. Then he started doing the same thing to Elizabeth. Then we left.

Raual kept some of the jewelry and I threw one of the beepers in the bayou and Peter threw the other beeper in the bayou. Then we went home. The Mickey Mouse Watch that my little brother Venancio had belonged to one of the girls, I don't know which one.

I have read this, my statement, consisting of 3 page/ pages, and finished reading it at 7:23 Hrs.

JOSE E. MEDELLIN
Signature

Witnesses:

SGT. G. J. NOVAK	Pr# 39034	Date: 6-29-93
M. E. DOYLE	Pr# 40900	Time: 07:23 Hrs.

End of statement of Jose Ernesto Medellin.

NO. 675430 339TH DISTRICT COURT

THE STATE OF TEXAS

VS

JOSE ERNESTO MEDELLIN

VOLUME I

TRANSCRIPT

CCA

TRANSCRIPT

CAUSE NO. 675430

71997

In the 339th District Court of Harris County, Texas,
Honorable Caprice Cosper, Judge Presiding.

JOSE ERNESTO MEDELLIN, Appellant

VS

THE STATE OF TEXAS

Appealed to the Court of Criminal Appeals of Texas, at Austin, Texas.

Appellant Attorney	Appellant Attorney
for Appellant	for State
RANDY MCDONALD	Mr. Calvin Hartman
ATTORNEY OF RECORD	Assistant District
1301 MCKINNEY,	Attorney
SUITE 3100	201 Fannin
HOUSTON, TEXAS 77010	Houston, Texas 77002

Delivered to Court of Criminal Appeals of Texas, at Austin, Texas on the 5th day of December 1994.

KATHERINE TYRA
District Clerk
Harris County, Texas

By: [ILLEGIBLE]
Deputy

(Court of Criminal Appeals) Cause No._____

Filed in the Court of Criminal Appeals of Texas, at Austin, Texas this ___ day of ___, 19___.

FILED IN
COURT OF CRIMINAL
APPEALS, Clerk
DEC 12 1994

By: Thomas Lowe, Clerk
Deputy

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APPELLATE COURT NO. 71,997
IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS

JOSE ERNESTO MEDELLIN
APPELLANT,
VS.
THE STATE OF TEXAS,
APPELLEE.

CAUSE NO. 675430
APPEAL FROM 339TH DISTRICT COURT
HARRIS COUNTY, TEXAS
Judge Caprice Cosper Presiding

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Leisa Hudson
Deputy Official Court Reporter
339th District Court
Harris County, Texas

CAUSE NO. 675430

THE STATE OF TEXAS VS. JOSE ERNESTO MEDELLIN	IN THE 339TH DISTRICT COURT OF HARRIS COUNTY, TEXAS

APPEARANCES:

For the State:	Mr. Mark Vinson Mr. Terry Wilson Assistant District Attorneys Harris County, Texas
For the Defendant:	Mr. Jack Millin Ms. Linda Mazzagatti Attorneys at Law Houston, Texas

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33	Photo	--	101	100	100	28
34	Photo	--	101	100	100	28
35	Photo	102	103	103	103	28
36	Photo	102	103	103	103	28
37	Photo	102	104	103	103	28
38	Photo	102	104	103	103	28
39	Photo	102	104	103	103	28
40	Photo	102	104	103	103	28
41	Photo	--	125	126	126	28

No.	Description	Mk'd	Id	Off'd	Rec'd	Vol
42	Photo	--	125	126	126	28
43	Photo	--	125	126	126	28
44	Photo	--	125	126	126	28
45	Photo	--	125	126	126	28
46	Photo	--	125	126	126	28
47	Photo	--	125	126	126	28
48	Diagram	--	128	128	128	28
49	Diagram	--	129	128	128	28
50	Legend	--	127	128	128	28
51-99	Photos	--	144	--	--	28
100	Videotape	--	145	145	147	28
101	Photo	--	181	181	--	28
102	Photo	--	181	181	--	28
103	Photo	--	181	181	182	28
104	Photo	--	251	251	251	29
105	Photo	--	251	251	251	29
106	Ring	--	402	--	--	29
			512	512	513	30
106A	Photo	--	512	512	513	30

No.	Description	Mk'd	Id	Off'd	Rec'd	Vol
107	Photo	--	408	409	409	29
108	Interview	468	468	468	--	29
109	Chart	--	583	586	587	30
109A	Chart	--	--	587	587	30
110	X-rays	--	592	592	594	30
110A	X-rays	--		597	599	30
111	Photo	--	596	--	--	30
			877	866	866	32
112	Photo	--	596	--	--	30
			865	866	866	32
113	Statement	--	652	652	653	30
114	Warnings	--	--	--	--	--
115	X-ray	--	698	698	707	31
116	Report	--	698	698	--	31
117	Photo	--	714	716	717	31
118	Photo	--	714	716	717	31
119	Belt	--	783	783	783	32
119A	Photo	--	783	784	784	32
120	Photo	--	803	803	803	32
121	Photo	--	809	809	809	32

No.	Description	Mk'd	Id	Off'd	Rec'd	Vol
122	Photo	--	867	866	866	32
123	Photo	--	--	--	--	--
124	Photo	--	868	866	866	32
125	Photo	--	868	866	866	32
126	Photo	--	869	866	866	32
127	Photo	--	869	866	866	32
128	Photo	--	865	866	866	32
129	Photo	--	--	--	--	--
130	Photo	--	872	866	866	32
131	Photo	--	874	866	866	32
132	Photo	--	865	866	866	32
133	Photo	--	875	866	866	32
134	Photo	--	--	--	--	--
135	Photo	--	875	866	866	32
136	Photo	--	875	866	866	32
137	Photo	--	--	--	--	--
138	Photo	--	865	866	866	32
139	Photo	--	893	892	892	32
140	Photo	--	893	892	892	32
141	Photo	--	894	892	892	32

No.	Description	Mk'd	Id	Off'd	Rec'd	Vol
142	Photo	--	895	892	892	32
143	Photo	--	--	--	--	--
144	Photo	--	896	892	892	32
145	Photo	--	896	892	892	32
146	Photo	--	897	892	892	32
147	Photo	--	898	892	892	32
148	Photo	--	899	892	892	32
149	Photo	--	--	--	--	--
150	Photo	--	899	892	892	32
151	Photo	--	900	892	892	32
152	Photo	--	900	892	892	32
153	Photo	--	901	892	892	32
154	Photo	--	902	892	892	32
155	Photo	--	902	892	892	32
156	Aut Report	--	904	904	906	32
157	Aut Report	--	904	904	906	32
158	Drawing	--	107	107	--	34
159	Shank	228	229	229	230	34

Defense Exhibits

No.	Description	Mk'd	Id	Off'd	Rec'd	Vol
1	Juror Quest.	--	308	308	309	16
	Withdrawn				316	18
2	Juror Form	--	313	313	--	16
	Withdrawn				316	18
3	Juror Quest.	--	116	116	116	21
1	Req. Charge	--	977	--	--	32
1	Poster	--	270	271	271	35

Court Exhibits

1-8	Photos		116	116	116	28